

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THE GARMON CORPORATION, and MAXIM
ZENWISE OPCO, LLC,

Plaintiffs and Counterdefendants,

v.

VETNIQUE LABS, LLC,

Defendant and Counterclaimant.

Civil Action No. 1:19-cv-08251

Hon. Matthew F. Kennelly

JOINT STATUS REPORT

In connection with the status hearing set in this matter for September 22, 2020, plaintiffs and counterdefendants, The Garmon Corporation (“Garmon”), and Maxim Zenwise Opco, LLC (“Zenwise”) (collectively, “Plaintiffs”), and defendant and counterclaimant Vetnique Labs, LLC (“Vetnique”), all by and through their undersigned counsel, provide this Joint Status Report and state as follows:

1. Schedule of Dates and Deadlines. On May 6, 2020, the Court entered a reset schedule of dates and deadlines under the Local Patent Rules [*see* ECF Doc. #36]. The parties are proceeding pursuant to that schedule.
2. Status of Pleadings. All the filed claims are now at issue. Vetnique has filed answers and affirmative defenses to the allegations in Plaintiffs’ First Amended Complaint, and Plaintiffs have filed answers and affirmative defenses to the allegations in Vetnique’s First Amended Counterclaims.
3. Status of Disclosures and Discovery. The parties exchanged their initial disclosures and productions of documents pursuant to Federal Rule of Civil Procedure 26(a)(1)

and LPR 2.1 on June 4, 2020.

Vetnique served its initial infringement contentions pursuant to LPR 2.2 on June 18, 2020 and served supplemental initial infringement contentions on June 29, 2020. Plaintiffs' served their initial invalidity and non-infringement contentions pursuant to LPR 2.3 and 2.4 on July 2, 2020. Vetnique served its initial response to Plaintiffs' initial invalidity and non-infringement contentions pursuant to LPR 2.5 on July 16, 2020. Vetnique's list identifying claims pursuant to LPR 3.1(a)(1) is due on October 29, 2020.

Meanwhile, the parties have also been conducting party and non-party discovery pursuant to Rules 30, 33, 34, 36, and 45 of the Federal Rules of Civil Procedure. The parties have served each other with multiple sets of written discovery requests, and the parties have also served non-parties with subpoenas for production of documents and testimony.

4. Status of Briefing of Unresolved Motion. On August 31, 2020, Plaintiffs filed a Motion to Compel Responses to Plaintiffs' First Set of Interrogatories [ECF Docs. #51, #52 and #52-1] requesting an order compelling Vetnique to provide further responses to Plaintiffs' Interrogatories Nos. 3 through 10. Vetnique filed an Opposition on August 31, 2020 [ECF Doc. #53]. Plaintiffs filed a Reply on September 1, 2020 [ECF Doc. #54].

5. Status of Settlement Efforts. The parties engaged in informal settlement discussions before this lawsuit was filed. The parties have agreed to continue those discussions as the case progresses, but believe they need to conduct further discovery before they will be able to engage in a productive settlement dialogue.

Dated: September 11, 2020

Respectfully Submitted:

/s/ Brian C. Padove

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Dated: September 11, 2020

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CERTIFICATE OF SERVICE

I hereby certify that on **September 11, 2020**, I electronically filed the foregoing **Joint Status Report** with the Clerk of the Court for the Northern District of Illinois using the Court's CM/ECF system, which shall send notification of such filing to all counsel of record.

/s/ Brian C. Padove
